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SEP 14 2009

AT 8:30  
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September 10, 2009

Via ECF

Magistrate Judge Douglas E. Arpert  
Clarkson S.. Fisher Fed. Bldg. & US Courthouse  
402 E. State Street, Room 6000  
Trenton, New Jersey 08608

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SEP 14 2009

Douglas E. Arpert  
U.S. MAGISTRATE JUDGE

Re: Dianne Paetzell and Ricky Paetzell v. Scott Cox, C.R. England, Inc.,  
Civil Action No. 3:08-cv-05766  
Our File No.: 716973

Dear Judge Arpert:

Our firm represents Defendants, Scott Cox and C.R. England, Inc., in the above-referenced matter. We are writing to request a short extension of one current deadline due to difficulty we had with scheduling the depositions of the plaintiff, Ricky Paetzell, and Plaintiff, Julianna Paetzell, in the related state court case, as well as, two non-party witnesses in this matter. Presently, depositions of the plaintiffs, Ricky Paetzell and Julianna Paetzell are scheduled on October 2, 2009, 1:00 p.m. We further trying schedule the depositions of the police officer and non-party witness for the same day at 9 a.m.

However, the current deadline for affirmative expert reports is October 14, 2009 and we can not serve our affirmative liability expert report by then due to the time needed to obtain the deposition transcripts. Accordingly, we herein propose that all parties be given an extra 30 days, until November 13, 2009, to serve any liability expert reports. \*

Thereafter, as liability is the real issue in this case, we request that the Settlement Conference scheduled with Your on October 14, 2009, be held on a date within 30 or so days after the exchange of all expert reports so that parties with authority have time to consider and digest the opposing expert report and its effect on the valuation of this case.

In the meantime, we continue with discovery as to damages as we have already completed one IME and already have the second IME scheduled. Therefore, if the case is not settled at the conference, discovery should not delay this case any further.

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\* So Ordered this 14<sup>th</sup> day  
of September, 2009  
W.H.A.  
Douglas E. Arpert, U.S.M.J.

Case 3:08-cv-05766-JAP-DEA Document 13 Filed 09/11/2009 Page 2 of 2

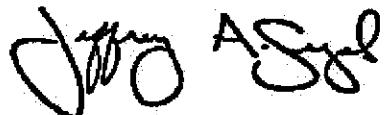
September 10, 2009

Page 2

Thank you for your anticipated attention and courtesy to this matter.

Respectfully submitted,

RAWLE & HENDERSON LLP

A handwritten signature in black ink, appearing to read "JAS Segal".

By:

Jeffrey A. Segal

/MLB

cc: Arthur J. Russo, Esquire – via facsimile